



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
1000 NAVY PENTAGON
WASHINGTON, DC 20350-1000

SECNAVINST 5380.1
PERS-65
14 Apr 2003

SECNAV INSTRUCTION 5380.1

From: Secretary of the Navy
To: All Ships and Stations

Subj: VOLUNTARY SERVICES IN DEPARTMENT OF THE NAVY

Ref: (a) DODI 1100.21 of 11 Mar 02 (NOTAL)
(b) 10 U.S.C. 1588
(c) DOD 5400.11-R of Aug 83 (NOTAL)
(d) SECNAVINST 5211.5D
(e) DODI 1402.5 of 19 Jan 93 (NOTAL)

Encl: (1) DD 2793, Volunteer Agreement for Appropriated Fund
Activities and Nonappropriated Fund Instrumentalities

1. Purpose. To implement reference (a) which prescribes policies, responsibilities and procedures for the acceptance and use of voluntary services in Department of Defense (DOD) activities, as authorized by reference (b).

2. Applicability

a. Applies to acceptance of voluntary services by any person to appropriated fund (APF) activities and nonappropriated fund instrumentalities (NAFIs) operated by Department of the Navy (DON) identified in paragraph E3.2 of enclosure (3) to reference (a).

b. Does not apply to gratuitous services offered outside the scope of reference (b) or to other voluntary services accepted by a DON activity under applicable legal authority independent of reference (b). Gratuitous service is defined as service provided by individuals or groups of individuals other than those defined as "volunteers" without any expectation of compensation to include salary, tips, benefits, and reimbursements for incidental expenses.

c. Does not apply to volunteers who donate their services to entities that are not DON activities (including public or private organizations or commercial organizations or contractors for the Government) on military installations or with military

units. This is true even when volunteer services to non-DON activities are in direct support of a program providing services to members of the Armed Forces and their families and even if such voluntary services are otherwise permissible.

3. Responsibilities

a. Assistant Secretary of the Navy (Manpower and Reserve Affairs) is the principal staff assistant to the Secretary of the Navy for Morale, Welfare and Recreation (MWR) programs and NAFIs and for coordinating matters related to MWR and NAFI programs and activities.

b. Within their respective Military Service, Chief of Naval Operations and Commandant of the Marine Corps will

(1) establish implementing regulations and procedures per this instruction, including the general standards in enclosure (3) to reference (a), and paragraph 5 of this instruction.

(2) outline reimbursable expenses and method for payment of claims for reimbursement.

(3) establish a system to recognize and reward volunteer contributions. Monetary awards are not authorized.

(4) ensure that the standard procedures used to investigate/adjudicate incidents involving employees or officers of DON are used, when appropriate, to investigate/adjudicate similar incidents arising from voluntary services provided under this instruction. This shall include voluntary service incidents involving property damage, destruction, or loss; the injury or death of any person, including the volunteer; any claim against the Federal Government; or any request for an investigation by a DON activity or other competent authority.

4. General Standards

a. A DD 2793, Volunteer Agreement for Appropriated Fund Activities and Nonappropriated Fund Instrumentalities, as applicable, will be executed. A copy of DD 2793 is provided in enclosure (1).

(1) Volunteers shall sign DD 2793 and volunteer services shall be accepted by the APF activity in part II or by the NAF activity in part III of the agreement, as applicable, before an individual is allowed to provide volunteer services.

(2) A copy of DD 2793 shall be given to the volunteer prior to commencing volunteer services.

(3) Part IV of DD 2793 shall be completed at the end of the volunteer's service in order to document the dates of the volunteer service. A copy of the completed DD 2793 shall be given to the volunteer upon termination of service.

b. Volunteers shall not be placed in policy-making positions, roles, or situations; supervisory positions, roles or situations over compensated government (NAF or APF) employees or military personnel; or receive salary, cash awards, bonuses or compensation of any kind for services rendered.

c. Volunteers shall not perform duties for which there is an unfilled manpower requirement; circumvent the NAF or civil service personnel systems; or for which funding has been provided to hire staff or obtain services by contract; or perform dangerous duties that render them unusually susceptible to injury or to causing injury to others. This prohibition is not designed or intended to prevent properly licensed and certified volunteers from assisting qualified employees in providing athletic or adventure-type outdoor recreation activities.

d. Volunteers shall be licensed, privileged, or appropriately credentialed, as would an employee performing the same or similar assigned duties. Criminal history background checks on individuals in childcare and youth services are required.

e. Supervisors must supervise volunteers to the same extent as a compensated employee providing similar services.

f. Volunteers are authorized reimbursement for incidental expenses incurred as a result of the services rendered. Reimbursement may be from APFs or NAFs that are authorized for use in support of the DON activity involved. Examples of incidental expenses include

(1) parking fees and tolls, general admission costs, and subsistence and lodging expenses incurred by the volunteer during the provision of volunteer services.

(2) other incidental expenses not normally provided to employees such as long distance telephone calls, commuting, and childcare. This applies when such reimbursements are determined to be necessary to obtain the voluntary services and are reasonable in amount and in relation to the value of the voluntary services involved to the DON activity.

g. Volunteers will be provided with a clear, written description of the duties and scope of responsibilities to be performed. Volunteer orientation and training is authorized to familiarize volunteers with the organization, their assigned duties, the command's procedures to document the type and number of hours of voluntary services provided, and other relevant matters.

h. Written parental consent is required for all unmarried volunteers under 18 years of age. Volunteers under 16 years of age shall not be accepted. Additional State and local law requirements may also apply.

i. Pursuant to reference (b), a person providing properly accepted voluntary services to an APF or NAFI activity shall be considered to be an employee of the Federal Government to the extent specified in subsection (d) of reference (b).

j. Provide training and support for officially sanctioned volunteers to include

(1) use of Government facilities, to include dedicated office or desk space, equipment, supplies, computers, and telephones as needed to accomplish assigned duties.

(2) use of official mail as deemed necessary and appropriate by the commanding officer to execute assigned volunteer duties.

k. Ensure compliance with references (c) and (d) concerning disclosure of privacy-protected records.

(1) Access to records contained in a Privacy Act system of records may be provided to a volunteer of a DON activity other than a NAFI. Any volunteer with such access must comply with the protection, disclosure, disclosure accounting, and other requirements of references (c) and (d).

(2) Privacy-protected information for NAFI volunteers requires consent of the individual about whom the records pertain or other authorization consistent with reference (c).

1. Volunteers who work with children and youth shall have a background check per reference (e).

m. Volunteer records shall be retained for 3 years following the termination of volunteer service by the organization receiving the service. After that period, the appropriate department of the activity where the volunteer's duties are performed shall electronically maintain a summary of each volunteer's service until no longer needed.

6. Form. DD 2793, Volunteer Agreement for Appropriated Fund Activities and Nonappropriated Fund Instrumentalities (Feb 2002), is available electronically and can be downloaded from the Department of Defense Electronic Forms website at www.dior.whs.mil/forms/DD2793.PDF.

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Assistant Secretary of the Navy
Manpower and Reserve Affairs

Distribution:
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14 Apr 2003

VOLUNTEER AGREEMENT FOR				
<input type="checkbox"/> APPROPRIATED FUND ACTIVITIES		<input type="checkbox"/> NONAPPROPRIATED FUND INSTRUMENTALITIES		
PRIVACY ACT STATEMENT				
AUTHORITY: Section 1588 of Title 10, U.S. Code, and E.O. 9397.				
PRINCIPAL PURPOSE(S): To document voluntary services provided by an individual, including the hours of service performed, and to obtain agreement from the volunteer on the conditions for accepting the performance of voluntary service.				
ROUTINE USE(S): None.				
DISCLOSURE: Voluntary; however failure to complete the form may result in an inability to accept voluntary services or an inability to document the type of voluntary services and hours performed.				
PART I - GENERAL INFORMATION				
1. TYPED NAME OF VOLUNTEER (Last, First, Middle Initial)		2. SSN		3. DATE OF BIRTH (YYYYMMDD)
4. INSTALLATION		5. ORGANIZATION/UNIT WHERE SERVICE OCCURS		
6. PROGRAM WHERE SERVICE OCCURS		7. ANTICIPATED DAYS OF WEEK		8. ANTICIPATED HOURS
9. DESCRIPTION OF VOLUNTEER SERVICES				
PART II - VOLUNTEER IN APPROPRIATED FUND ACTIVITIES				
10. CERTIFICATION I expressly agree that my services are being provided as a volunteer and that I will not be an employee of the United States Government or any instrumentality thereof, except for certain purposes relating to compensation for injuries occurring during the performance of approved volunteer services, tort claims, the Privacy Act, criminal conflicts of interest, and defense of certain suits arising out of legal malpractice. I expressly agree that I am neither entitled to nor expect any present or future salary, wages, or other benefits for these voluntary services. I agree to be bound by the laws and regulations applicable to voluntary service providers and agree to participate in any training required by the installation or unit in order for me to perform the voluntary services that I am offering. I agree to follow all rules and procedures of the installation or unit that apply to the voluntary services I will be providing.				
a. SIGNATURE OF VOLUNTEER			b. DATE SIGNED (YYYYMMDD)	
11.a. TYPED NAME OF ACCEPTING OFFICIAL (Last, First, Middle Initial)		b. SIGNATURE		c. DATE SIGNED (YYYYMMDD)
PART III - VOLUNTEER IN NONAPPROPRIATED FUND INSTRUMENTALITIES				
12. CERTIFICATION I expressly agree that my services are being provided as a volunteer and that I will not be an employee of the United States Government or any instrumentality thereof, except for certain purposes relating to compensation for injuries occurring during the performance of approved volunteer services and liability for tort claims as specified in 10 U.S.C. Section 1588(d)(2). I expressly agree that I am neither entitled to nor expect any present or future salary, wages, or other benefits for these voluntary services. I agree to be bound by the laws and regulations applicable to voluntary service providers, and agree to participate in any training required by the installation or unit in order for me to perform the voluntary services that I am offering. I agree to follow all rules and procedures of the installation or unit that apply to the voluntary services that I am offering.				
a. SIGNATURE OF VOLUNTEER			b. DATE SIGNED (YYYYMMDD)	
13.a. TYPED NAME OF ACCEPTING OFFICIAL (Last, First, Middle Initial)		b. SIGNATURE		c. DATE SIGNED (YYYYMMDD)
PART IV - TO BE COMPLETED AT END OF VOLUNTEER'S SERVICE BY VOLUNTEER SUPERVISOR				
14. AMOUNT OF VOLUNTEER TIME DONATED				15. SIGNATURE
a. YEARS (2,087 hours= 1 year)	b. WEEKS	c. DAYS	d. HOURS	16. TERMINATION DATE (YYYYMMDD)
17.a. TYPED NAME OF SUPERVISOR (Last, First, Middle Initial)				b. SIGNATURE
				c. DATE SIGNED (YYYYMMDD)

DD FORM 2793, FEB 2002

PREVIOUS EDITION IS OBSOLETE.

Exception to Standard Form 50 granted by
Office of Personnel Management (OPM) waiver.